IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 153 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL
and
Hon'ble MR.JUSTICE C.K.BUCH

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JYOTIBEN MAKWANA
Versus
PRINCIPAL

Appearance:
MR PRADEEP PATEL for Petitioners (Absent)
MR CL SONI for Respondent No. 1
NOTICE SERVED BY DS for Respondent No. 2
MR KG PANDIT for Respondent No. 4
MR JR NANAVATI for Respondent No. 5

CORAM : MR.JUSTICE B.C.PATEL
and
MR.JUSTICE C.K.BUCH

Date of decision: 22/08/2000

ORAL JUDGEMENT (Per Patel, J.)

When the matter is called out, learned advocate for the petitioner is not present before the Court. On behalf of the Respondents, it is pointed out that the petition has become infructuous.

2. The prayer made in paragraph 8(A) of the petition is as under:

"Be pleased to issue appropriate writ, order or direction in the nature of mandamus directing the respondent no.1 not to take examination of the

students admitted in the college after de-recognition of the college by the Central Council of Homeopathy and further direct the respondent No.2 & 3 to transfer the students to another recognised college and take appropriate steps for taking examination of students who have taken admission in respondent no.1 college."

3. Mr. Soni submitted that as the College was de-recognised at the relevant time, students were admitted in another College and Council has taken examination of such students. This was for the period 95-96 only. It is further submitted by Mr. Soni that thereafter, the College is permitted to conduct classes for degree course in Homeopathy.

4. It appears that the petitioner has lost interest in the matter as the issue involved in the petition does not survive any more, and the petition has become infructuous. Hence this petition stands disposed of as infructuous. Rule is discharged. Interim relief stands vacated. No order as to costs.

(B.C. PATEL, J.)

csm./ (C.K. BUCH, J.)